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Attorney for Defendant,  
David Byrd

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,	)	Case No. 2:24-CR-00012-TLN
	)	
Plaintiff,	)	STIPULATION AND ORDER
	)	CONTINUING STATUS CONFERENCE
vs.	)	AND EXCLUDING TIME
	)	
DAVID BYRD,	)	
	)	
Defendant.	)	

**STIPULATION**

Plaintiff United States of America, by and through its counsel of record, and defendant, by and through defendant's counsel of record, hereby stipulate as follows:

1. A status conference in this case was previously set for September 26, 2024.
2. By this stipulation, the parties now move to continue the status conference until October 24, 2024, and to exclude time between September 26, 2024, and October 24, 2024, under Local Code T4.
3. The parties agree and stipulate, and request that the Court find the following:
  - a. The government has produced discovery in this matter, including over 1,143 pages of documents. Counsel for defendant was appointed on June 5, 2024 and requires additional time to review discovery, conduct investigation and legal research, and consult with the client.
  - b. Counsel for defendant believes that failure to grant the above-requested

1 continuance would deny the reasonable time necessary for effective preparation, taking  
2 into account the exercise of due diligence.

3 c. The government does not object to the continuance.

4 d. Based on the above-stated findings, the ends of justice served by  
5 continuing the case as requested outweigh the interest of the public and the defendant in a  
6 trial within the original date prescribed by the Speedy Trial Act. For the purpose of  
7 computing time under the Speedy Trial Act, 18 U.S.C. § 3161, et seq., within which trial  
8 must commence, the time period of September 26, 2024, through October 24, 2024,  
9 inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code  
10 T4] because it results from a continuance granted by the Court at defendant's request on  
11 the basis of the Court's finding that the ends of justice served by taking such action  
12 outweigh the best interest of the public and the defendant in a speedy trial.

13 4. Nothing in this stipulation and order shall preclude a finding that other provisions  
14 of the Speedy Trial Act dictate that additional time periods are excludable from the period within  
15 which a trial must commence.

16 IT IS SO STIPULATED.

17  
18  
19 DATED: September 23, 2024

/s/ Timothy E. Warriner, Attorney for defendant,  
David Byrd

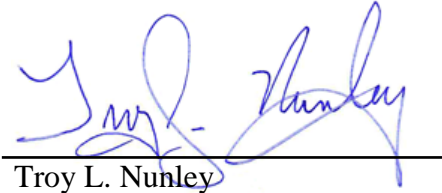
20  
21 DATED: September 23, 2024

/s/ Cameron L. Desmond, Assistant United States  
Attorney, for the government

ORDER

The court hereby continues the status conference to October 24, 2024, at 9:30 a.m., and excludes time to that date pursuant to Local Code T4.

DATED: September 24, 2024



Troy L. Nunley  
United States District Judge